

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

EDAG Engineering GmbH,

Petitioner,

v.

BYTON North America Corporation,

Respondent.

Case No. 3:21-cv-04736-EMC

**ORDER AUTHORIZING EDAG
ENGINEERING GMBH ("EDAG") TO
REGISTER THE JUDGMENT IN OTHER
DISTRICTS UNDER GOOD CAUSE
PURSUANT TO 28 U.S.C. SECTION 1963**

Petition Filed: June 23, 2021


1 Based the Ex Parte Application for an Order Authorizing EDAG Engineering DMBH
2 ("EDAG") to register the Judgment in other districts under 28 U.S.C. Section 1963, and the Court
3 finding good cause for such relief, based on the evidence of flight by BYTON NORTH AMERICA,
4 the defendant herein ("BNA"), and finding that other assets might be held by JAMA Software which
5 is located in Oregon, and moreover that BNA has fled its office address of 4201 Burton Way, Santa
6 Clara, CA 95054 (Klein Declaration *Exhibit "B"*), that its CEO is located in Hong Kong
7 Declaration of Daniel I. Kirchert (*Exhibit "D"*) and that CT Corporation System resigned as agent
8 for BNA on November 19, 2021 (Record of the California Secretary of State, *Exhibit "A"*) during
9 the midst of ongoing litigation before this court, and for other matters on the record herein, and
10 goods cause therefore

11 IT IS ORDERED, ADJUDGED, AND DECREED that EDAG has shown good cause in
12 permitting EDAG to register the judgment entered in this Court in any other District in the United
13 States herein under 28 USC Sec. 1963.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that EDAG has the right and
15 interest to register the Judgment in the action in any District in the United States forthwith and
16 without any delay, notwithstanding any period of time by which BNA would file an appeal before
17 the Court of Appeal or the passage of 30 days from the date of entry of the Judgment herein.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the CERTIFICATION
19 required to register the Judgment in another District shall include by attaching this Order to the
20 CERTIFICATION thereto and made a part of, and incorporated therein as though set forth therein.

21 Dated: December 13, 2021


Honorable Edward M. Chen
Judge of the United States
District Court